

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X		
2591028 ONTARIO LIMITED.,	:	
	:	
Plaintiff,	:	20-CV-10876 (AKH) (OTW)
	:	
-against-	:	<b><u>ORDER</u></b>
	:	
ADVACARE INC.,	:	
	:	
Defendants.	:	
	:	
-----X		

**ONA T. WANG, United States Magistrate Judge:**

This matter has been referred to me for a damages determination. (ECF Nos. 102, 103).

By **September 20, 2024**, Plaintiff shall file **(1)** proposed findings of fact and conclusions of law, and **(2)** a memorandum setting forth proof of damages. Plaintiff's proposed damages figures should be supported by documentary evidence and/or one or more affidavits establishing the proposed figures. Plaintiff must also include documentation supporting the requested attorney's fees and costs. Plaintiff must serve these documents on the Defaulting Defendants and file proof of service on the docket by **September 20, 2024**.

Defendants' opposition papers (if any) shall be filed by **October 25, 2024**.

The Court hereby notifies the parties that it may conduct this damages determination solely on the written submissions of the parties. *See Action S.A. v. Marc Rich & Co., Inc.*, 951 F.2d 504, 508 (2d Cir. 1991). If any party seeks an evidentiary hearing on damages, such party must include the request in its papers, as well as provide reasons why a hearing is necessary and detail what types of additional evidence would be presented at the hearing.

Plaintiff shall serve a copy of this Order on the Defaulting Defendants and file proof of service on the docket by **August 23, 2024**.

**SO ORDERED.**

Dated: August 16, 2024  
New York, New York

s/ Ona T. Wang  
**Ona T. Wang**  
United States Magistrate Judge